

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division**

**MARC STOUT, *et al.*,**

Plaintiffs,

v.

**Civil Action No. 3:08CV110**

**MIDDLE RIVER REGIONAL JAIL,**

Defendant.

**MEMORANDUM OPINION**

By Memorandum Order entered on February 27, 2008, the Court conditionally docketed the action and advised Plaintiffs that they must keep the Court advised of their current address in the event they are transferred or relocated during the pendency of the action.<sup>1</sup> On April 29, 2008, the Memorandum Order entered on April 21, 2008, which was sent to Marc Stout, was returned to the Court by the United States Postal Service marked, "RETURN TO SENDER" and "NO LONGER INCARCERATED AT THE REGIONAL JAIL." Stout's failure to keep the Court apprised of his current address indicates his lack of interest in prosecuting the present action. *See Fed. R. Civ. P. 41(b).* Accordingly, the action will be DISMISSED WITHOUT PREJUDICE.

An appropriate Order shall issue.

/s/  
**James R. Spencer**  
**Chief United States District Judge**

Date: 5-8-08  
Richmond, Virginia

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<sup>1</sup> On April 24, 2008, the Court dismissed the other plaintiff, Derrick Massie, as a party to the action.